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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,877	07/20/2004	Katsuhiro Miyamoto	03500.016933.	6554
5514 7590 04/21/2008 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER WENDMAGEGN, GIRUMSEW	
			ART UNIT 2621	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/501,877	Applicant(s) MIYAMOTO ET AL.	
	Examiner GIRUMSEW WENDMAGEGN	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/27/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-10,16 and 20-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21 and 23 is/are allowed.
- 6) ☒ Claim(s) 1-4,6-9,16,20 and 22 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claim1-3, 5-10, and 16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim1-3, 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al (Patent No US 5,241,659) and Igarashi (Patent No US 5,045,967).

Regarding claim1, 16 , Parulski et al (herein after Parulski) anticipates a signal processing apparatus operated by a remote controller comprising: a designation unit arranged to designate reproduction procedure of an image signal recorded on a recording medium (see figure7 and column7 line 24-30); a management data processing unit arranged to allocate to an operating key of said remote controller, a reproduction function that corresponds to said designated reproduction procedure, and generate reproduction procedure management information which includes operating key information indicating the operating key to which said reproduction function is allocated ,and reproduction procedure information indicating said designated reproduction

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procedure(see figure2 element 44 and column6 line 45-53); and a recording unit arranged to record on said recording medium the reproduction procedure management information (see figure2 element 44 and column6 line 45-53) but does not teach generating registered image management data for identifying image data designated through said reproduction procedure and said recording unit writes onto said recording medium said registered image management data. However, Igarashi teaches writing (recording) the management information of the registered image in to the RAM (recording medium) (see column4 line 41-63).

One of ordinary skill in the art at the time the invention was made would have been motivated to recording the management information of the registered image as in Igarashi in to Parulski method because it would make controlling registered image effective to reproduce.

Regarding claim2, Parulski teaches a signal processing apparatus according to claim1, wherein said management data processing unit selects one of a plurality of layout information's representing predetermined display layouts, and generates said reproduction procedure information using the selected layout information (see column7 line 19-22).

Regarding claim3, see the teaching of Parulski and Igarashi above. Both Parulski and Igarashi do not teach signal processing apparatus according to claim 2, wherein

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said a plurality of layout information further include template information representing types of operating keys to be employed and functions of said operating keys; and wherein said management data processing unit further generates said operating key information based on the template information included in said selected layout data. However it is old and well known in the art to include template information representing types of operating keys to be employed and functions of said operating keys and generates operating key information based on the template information. Therefore official notice is taken.

One of ordinary skill in the art at the time the invention was made would have been motivated to include template information and generating operating key information because it would allow the user to interact with the apparatus.

Regarding claim6, Parulski teaches a signal processing apparatus according to claim 1, further comprising: a reproduction unit arranged to reproduce said image signal and said reproduction procedure management information stored on said recording medium (see figure 2 cd reader and EEPROM Module); and a control unit arranged to control the reproduction operation of said reproduction unit based on said reproduction procedure management information that is reproduced by said reproduction unit (column9 line 23-34).

Claim4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al (Patent No US 5,241,659) and Igarashi (Patent No US 5,045,967) as applied to claim 1-3, 6 and 16, and further in view of Suzuki et al (Pub No US 2001/0035875).

Regarding claim4, see the teaching of Parulski and Igarashi above. Both do not teach selecting layout data based on the number of pictures of said image signal to be displayed on a same picture that is selected by said designation unit from among the image signals of the plurality of pictures. However, Suzuki et al teaches selecting to predetermine display layouts on the basis of the number of image data (see claim7).

One of ordinary skill in the art at the time the invention was made would have been motivated to select predetermined display layouts as in Suzuki in to Parulski apparatus because it would allow the display device to display plurality of images.

Claim7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al. (Patent No US 5,241,659) and Igarashi (Patent No US 5,045,967), as applied to claim1-3, 6 and 16, and further in view of Hirano (Patent No US 6,885,408).

Regarding claim7, see the teaching of Parulski and Igarashi above. Both Parulski and Igarashi do not teach a reception unit arranged to receive a television broadcast and an output unit arranged to output, to a display device, an image signal associated with said television broadcast received by said reception unit and an image signal

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reproduced by said reproduction unit. However Hirano teaches reception unit arranged to receive a television broadcast and an output unit arranged to output, to a display device, an image signal associated with said television broadcast received by said reception unit and an image signal reproduced by said reproduction unit (see figure2 element 1, 3 and 8).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate reception unit and output unit as in Hirano in to Parulski apparatus because it would make it more versatile.

Regarding claim8, Hirano teaches a signal processing apparatus according to claim 7, wherein said reproduction unit includes a memory unit having a plurality of memory planes, and wherein, based on said reproduction procedure designated in accordance with said reproduction procedure management information, said control unit determines the memory plane to which said image signal is to be written (see figure2 element 4-7).

Regarding claim9, Hirano teaches a signal processing apparatus according to claim 8, wherein said reproduction unit further includes a mixing circuit which mixes image, data stored in said plurality of memory planes and outputs the mixed image data to said display device, based on said reproduction procedure, said control unit changes the ratio at which said mixing circuit mixes said image data of said memory planes (see figure2 element 2 and 3).

Claim20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al (Patent No US 5,241,659) and Suzuki et al (Pub No US 2001/0035875).

Regarding claim20, 22, Parulski et al (herein after Parulski) anticipates a signal processing apparatus operated by a remote controller comprising: a designation unit arranged to designate reproduction procedure of an image signal recorded on a recording medium (see figure7 and column7 line 24-30); a management data processing unit arranged to allocate to an operating key of said remote controller, a reproduction function that corresponds to said designated reproduction procedure, and generate reproduction procedure management information which includes operating key information indicating the operating key to which said reproduction function is allocated ,and reproduction procedure information indicating said designated reproduction procedure(see figure2 element 44 and column6 line 45-53); and a recording unit arranged to record on said recording medium the reproduction procedure management information (see figure2 element 44 and column6 line 45-53) but does not teach management data processing unit selects one of a plurality of layout data representing predetermined display layouts, based on the number of pictures of said image signal to be displayed on a same picture that is selected by said designation unit from among the image signals of the plurality of pictures, and generates said reproduction procedure information using the selected layout data. However Suzuki et al teaches selecting mean to select predetermined display layouts on the basis of the number of image data (see claim7).

One of ordinary skill in the art at the time the invention was made would have been motivated to select predetermined display layouts as in Suzuki in to Parulski apparatus because it would allow the display device to display plurality of images.

Therefore, the invention as a whole would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made, absent unexpected results to the contrary.

Allowable Subject Matter

Claim 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 21 and 23 allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GIRUMSEW WENDMAGEGN whose telephone number is (571)270-1118. The examiner can normally be reached on 7:30-5:00, M-F, all Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Girumsew Wendmagegn/
Examiner, Art Unit 2621

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621